

REMARKS

Claims 1-20 are pending in the current application. Claims 1, 16 and 19 are independent claims.

35 U.S.C. § 103 (a) Mogenis and Maes

Claims 1, 2, 13-17 and 19 stand rejected under 35 U.S.C. § 103 (a) based on Mogenis in view of Maes. Applicant respectfully traverses this art grounds of rejection.

Mogenis discloses a 911 real time information communication system. Mogenis attempts to overcome the limitation of speech being the only way to communicate with police during an emergency. Thus, Mogenis discloses that a security system may transmit video and/or audio information from devices including security cameras, audio sensors, etc.

Mogenis is silent on how this information is stored. Mogenis states that:

“...the security center 14 may include a recording or archiving database or memory 212, which automatically records the video, audio, and/or other sensor information arriving at center 14 for later use by the responding emergency party, if required, or for evaluation. A playback arrangement 214 is illustrated as being coupled to memory 212.” (column 5, lines 7-13)

Mogenis does not disclose or suggest that the archive is related to a client identifier. Instead, Mogenis simply refers to a Recording/Archival means 212 (alternatively referred to as “memory 212”). The Recording/Archival means 212 could refer to an unsigned temporary file, stored based on a time of the recording, etc. Generally, the method of storing information correlates to the method of accessing information in the database. Mogenis is silent in specifying how the Recording/Archival means 212 may be accessed. Thus, Mogenis cannot disclose or suggest “accessing a financial record in the database using the client identifier” as recited in independent claim 1.

With regard to the combination of Mogenis with Maes, the Examiner seeks to incorporate the teachings of Maes solely to accommodate for Mogenis not specifically disclosing a financial record.

Maes is directed to a portable information and transaction processing system and method utilizing biometric authorization and digital certificate security. Initially, Maes establishes information associated with a user during an enrollment process (column 7, lines 20-35). The enrollment process includes making a voice print of the user (column 8, lines

54-56). Maes is generally directed to verifying user identity in order to download a digital certificate. The verification includes both Personal Identification Number (PIN) and voice print verification. Specifically, when attempting to access the digital certificate, the user speaks the PIN (column 8, lines 13-27). While the spoken PIN is being processed to ensure correctness, the voice pattern is also analyzed for verification purposes (column 8, lines 50-65). Thus, Maes discloses verifying a user by verifying a PIN and a voice print of the PIN.

However, as shown in Figure 4, the steps required for user verification do not include storing the spoken PIN number into a database. Rather, the prompted spoken PIN is simply used for verification in steps 108 and 110 and then discarded. Further, the storage of the voice print during the enrollment process cannot qualify as the stored audio file because no financial record exists when a user initiates an enrollment process. Enrollment processes are well known to be only a starting point or creation point for a record. Maes states “the central server 60 will perform speaker verification to compare the user voice models that were processed and complied by the CPU 12 of the PDA device 10 with the user’s voice prints that were stored in the central server 60 during the enrollment process. Further, the central server 60 compares the answer given by the user with the answers provided during the enrollment process to determine if they match” (column 8, lines 50-60).

In view of the above, Applicants respectfully submits that the combination of Mogenis and Maes cannot disclose or suggest “accessing a financial record in the database using the client identifier”, “recording at least a portion of the client contact as the audio file” and “storing the audio file on a recording media” as recited in independent claims 1 and 16 and similarly recited in independent claim 19.

As such, claims 2, 13-15 and 17 dependent upon independent claims 1 and 16, respectively, are likewise allowable over Mogenis and Maes at least for the reasons discussed above with respect to independent claims 1 and 16.

No Motivation to Combine Mogenis and Maes

Applicant cannot understand why one skilled in the art would combine the references of Mogenis and Maes. Mogenis is directed to a 911 real time information communication system. Specifically, Mogenis teaches an interface that a responding unit may use when responding to emergency communications. For example, instead of being limited to phone calls for transferring information during an emergency, the responding unit may receive

video, audio and other information from a user. Maes, on the other hand, is directed to a user verification for acquiring a digital certificate in a secure fashion.

If Mogenis were to incorporate the teachings of Maes in order to verify all users upon emergency request, the emergency response times would suffer greatly because of the laborious verification process. Similarly, if Maes were to incorporate an emergency response to requests for digital certificates, the security offered by the security of Maes would likewise suffer.

To support the motivation to combine Mogenis and Maes, the Examiner alleges that “it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the features of Maes and Mogenis to arrive at a system of storing audio files with a record in a database to correlate the audio file with a client” (page 3 of the Office Action). However, the aims of Mogenis and Maes are both different and incompatible. The teachings of Maes contradict the teachings of Mogenis, and vice versa, because the goals of the respective references are entirely dissimilar. Thus, Applicant respectfully submits that the Examiner is using impermissible hindsight to combine the references Mogenis and Maes in a strained attempt to reconstruct the claimed invention.

For at least this additional reason, Applicant respectfully submits that claims 1-2, 13-17 and 19 are allowable.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. § 103 (a) Mogenis, Maes and Dockes

Claims 6, 8, 9, 11, 18 and 20 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mogenis, Maes, and Dockes. Applicant respectfully traverses this art grounds of rejection.

Dockes is directed to a system and method for producing compact disks on demand. Dockes coordinates the processes of writing, labeling and packaging a CD to simplify operations related to CD production. It is clear from a cursory review of Dockes that Dockes is insufficient in overcoming the deficiencies of Mogenis and Maes as discussed above with respect to independent claims 1, 16 and 19.

As such, claim 6, 8, 9, 11, 18 and 20, dependent upon independent claims 1, 16 and 19, respectively, are likewise allowable over Mogenis, Maes and Dockes at least for the reasons given above with respect to independent claims 1, 16 and 19.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

**35 U.S.C. § 103 Mogenis in view of Dockes and Maes
and further in view of DeMartin**

Claims 3 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mogenis in view of Dockes, Maes and DeMartin. Applicant respectfully traverse this art grounds of rejection.

The Applicant agrees with the Examiner in that “Dockes does not disclose storing the audio file in an analog format on an analog recording media” and “Dockes does not disclose storing the digitized audio file within the field of a record” as recited on pages 7 and 8, respectively, of the Office Action. The Examiner seeks to further combine the DeMartin with Mogenis, Dockes and Maes in order to overcome this particular deficiency.

DeMartin is directed to a method and system for allowing users to access shared media libraries. It is clear from a cursory review of DeMartin that DeMartin is insufficient in overcoming the deficiencies of Mogenis, Dockes and Maes as discussed above with respect to independent claim 1.

As such, claims 3 and 4, dependent upon independent claim 1, are allowable over Mogenis, Dockes, Maes and DeMartin at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. 103(a) Mogenis in view of Dockes and Maes and further in view of Kelly

Claims 5 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mogenis in view Dockes and Maes and further in view of Kelly. Applicant respectfully traverses this art grounds of rejection.

Kelly is directed to a digitally encoded medium. It is clear from a cursory review of Kelly that Kelly is insufficient in overcoming the deficiencies of Mogenis, Dockes and Maes as discussed above with respect to independent claim 1.

As such, claims 5 and 10, dependent upon independent claim 1, are likewise allowable over Mogenis, Dockes, Maes and Kelly at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. 103(a) Mogenis in view of Dockes and Maes and further in view of Akagiri

Claims 7 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mogenis in view Dockes and Maes and further in view of Akagiri. Applicant respectfully traverses this art grounds of rejection.

Akagiri is directed to a compressed digital data recording and reproducing apparatus with selective block deletion. It is clear from a cursory review of Akagiri that Akagiri is insufficient in overcoming the deficiencies of Mogenis, Dockes and Maes as discussed above with respect to independent claim 1.

As such, claims 7 and 12, dependent upon independent claim 1, are likewise allowable over Mogenis, Dockes, Maes and Akagiri at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

CONCLUSION

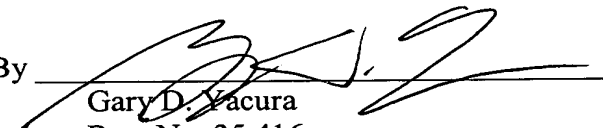
In the event that any matters remain at issue in the application, the Examiner is invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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